

Before The National Green Tribunal sitting at
Chennai
MEMORANDUM OF APPLICATION

Application No 149 of 2016

Between:

V.Ramasubbu
Advocate
Door No.48/17, Theppakulam Street
Srivaikundam - 628 601.

.....Applicant

And

1. Union of India Rep. by the Secretary to Government,
Ministry of Environment and Forests and Climate Change
Government of India, Paryavaran Bhavan,
New Delhi - 110003 and 8 Others.

.....Respondents

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Counsel for Applicant

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.....Applicant

And

1. Union of India Rep. by the Secretary to Government,
Ministry of Environment and Forests and Climate Change
Government of India, Paryavaran Bhavan,
New Delhi - 110003
2. The Wildlife Preservation (Southern Region)
Ministry of Environment Forest and Climate Change
C-2/A, Rajaji Bhawan
Basant Nagar, CGO Complex
Chennai - 600 090
3. The Principal Chief Conservator of Forest and Chief Wildlife Warden
Panagal Maligai
Saidapet
Chennai - 600 006
4. The Member Secretary
State Level Environment Impact Assessment Authority Tamil Nadu
3rd Floor, Panagal Maligai, No.1, Jeenis road
Saidapet, Chennai - 15
5. The State of Tamil Nadu Rep. by the Secretary to Government,
Department of Environment and Forest, Government of Tamil Nadu,
Fort St. George, Chennai - 600 003
6. The Chairman
Tamil Nadu Pollution Control Board
76, Mount Salai, Guindy Chennai- 32
7. The District Environmental Engineer
Tamil Nadu Pollution Control Board
DNo.15-4-12-A3 Back to National Theatre
SAR Complex
Theni-625 531
8. The Commissioner
Directorate of Town and County Planning
807, Annasalai, Chennai - 600 002



9. M/s Bahri Estate Pvt. Ltd
 201-202, Park N Shop, L-Block, DLF City Phase -II
 Gurgaon - 122 002
 Delhi

.....Respondents

To

The Hon'ble Chairman and
 his companion Members of
 The National Green Tribunal

**REPLY FILED BY THE PETITIONER TO THE OBJECTION OF THE 9TH
 RESPONDENT TO THE JOINT COMMITTEE REPORT DATED 25.08.2020
 (First Report) and 19.12.2020 (Second Report)**

I, V.Ramasubbu, S/o. Vijayakumar, aged 28 years residing at Door No.48/17, Theppakulam Street Srivaikundam - 628 601, Srivaikundam Taluk, Thoothukudi District do hereby solemnly affirm and state as under:

1. That I am the applicant in the aforementioned Application and being familiar with the facts and circumstances of the case to swear this reply Affidavit. I have already filed my rejoinder affidavit to the reply of 9th respondent to the main application which is prayed to be read as part and parcel of this affidavit.
2. I have read the objection filed by 9th respondent to the joint committee report dated 25.08.2020 and 19.12.2020 in the above Application and submit my response as follows. It is observed that the 9th respondent has raised same ground in both objection and so I filed reply to the content of first objection. The applicant craves liberty not to give a para-wise reply.
3. It is submitted that, the 9th respondent has raised his grounds for objection in para 3 to para 11 wherein the facts of ground raised by the 9th respondent are itself contrary to each other.
4. Particularly in Para 7 it is stated that, the DTCP officials has advised 9th respondent to obtain No objection Certificate from Forest Department.



and based on the advice of the DTCP officials, the 9th respondent has approached the Forest Department for No Objection and obtained the certificate. But in para 8 it is stated that, on time of obtaining NOC from Forest Department, the project is preliminary stage and so, the 9th respondent inadvertently included some additional survey Numbers 426, 428 and 429 to a total extent of 6 acres. And further project took shape later with extent of 49.31 Hect. It is crystal and clear that, the 9th respondent smartly attempted to cover his violation.

5. It obvious that, entire project was molded for 51.82 Hectares and subsequently to circumvent the mandatory clearance the 9th respondent avoid the Survey Field Number 426,428,429 and 441/1 which are very adjacent to the project site and will have access from the roads constructed by the 9th respondent.

Ownership of Land comprised in survey Field Number 441

6. Moreover, regarding land comprised in survey number 441/1 with extent of 1 Acre, the 9th respondent in para 8 of the objection, wrongly stated that, it never part of the No Objection Certificate and had neither been purchased nor part of the project even till date.
7. But, it is clear that the No Objection Certificate issued by the District Forest Officer shows that the said land comprised in Survey field Number 441/1 is vested with M/s Venkates Agro Estate Pvt. Ltd the copy of NOC issued by the District Forest Officer which was annexed as Annexure of the committee report and the same was reproduced for ready reference as **Annexure I** and the revenue records such as A register also substantiates the same. The copy of the revenue record A-Register and Patta Documents of Revenue Department are annexed as **Annexure 2**.
8. It obvious that, the survey field number 441/1 is very part of the project and so the area of the same shall be the covering area of the project.



9. Moreover, it is also submitted that, out of 51.82 Hect land, none of the land property owned by the 9th respondent. The 9th respondent has entered agreements with 5 companies to establish the project. And so the same modes operadi was applied in Survey Number 441/1 also. Based on the foregoing facts the objection raised by the 9th respondent regarding Survey Filed Number 441/1 is baseless and wrong. The committee report rightly disclosed that there are several project related activities in 441/1 and so, the area of Survey Field Number 441/1 is part of project covering area.

Completion of Project

10. It is submitted that, in para 12 of the objection the 9th respondent reliance on a proceeding of the District Collector, Theni dated 2011 in which it was observed that, the project works was completed as per DTCP conditions. But, during same year the project site was inspected by the District Forest Officer on his site inspection on 10.06.2011 that, the project laid only gravel road and there was an entrance gate constructed 300m away from reserve forest. The inspection was conducted by an IFS officer along with Genguvarpatti forest officials. It reveals that, the alleged project was not completed during 2011. Moreover it is also stated that, the area of project is 128 Acre (i.e 51.82 Hect.). The copy of the letter is annexed as Annexure 1. The google image of the site during year 2011 is also substantiated the DFO report. Copy of the google image is annexed as **Annexure A3**.

Abolition of sub-streams flow in to the project site:

11. It is submitted that, the layout approval issued by the Directorate of Town and Country Planning is just technical approval which considered the separation of Plots and width of roads. The 8th respondent has not

considered ecology and stream texture of the project area on approval of layout plan

12. It is submitted that, the layout approval keep silent on the sub-streams, rills originated within survey field No. 384 and flowing through survey filed numbers 382 and 383 which are the part and parcel of layout approval. Moreover, survey field number 210,214,399, 400 and 402 itself contains sub-streams within the private land owned by project proponent.
13. Particularly, from the satellite view of the project site it is observed that, the sub-stream in the Survey Field Number 400 and 401 was abolished by the 9th respondent and constructed a commercial building over the sub-stream by abolishing the same. The copy of google earth satellite picture of the project site dated 15.08.2014, 19.01.2018 and 31.01.2020 showing the construction of building by abolishing sub-stream annexed as **Annexure 4** . The copy FMB sketches showing the water body within the private land are annexed herewith as **Annexure 5**. It is crystal and clear that, the 8th respondent on time of layout approval has not considered the ecological, sub-stream and natural raining water drainage system of the project area.
14. It is also pointed out that, even a water body comprised within the private land and gets water from upstream forest area and flowing into the public water body, it should be protected as water body as it is. But the approval of layout never considered the sub-stream system of project area and blindly endorsed the layout submitted by the 9th respondent. So the DTCP has no any environmentally valid one.
15. It is also pertinent to point out that, the committee has not inspected the sub-streams of project lands. The streams mentioned in the committee report are only streams of government land.



Additional Area utilized for the alleged project:

16. It is submitted that, the sub item (b) of item 8 of schedule of EIA Notification provides as follows,

Project Activity		Category with threshold limit	Conditions if any	
(1)	(2)	(3)	(4)	(5)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥ 20000 sq.mtrs and $< 1,50,000$ sq.mtrs built-up area	#(built up area for covered construction; in the case of facilities open to the sky it will be the activity area)
8(b)	Township and Area Development projects		Covering an area ≥ 50 ha and or built up area $> 1,50,000$ sq.mtrs ++	++ All projects under item 8(b) shall be appraised as Category B1

Here, the meaning of the term "covering an area " in the sub-item b of item 8 of EIA shall not be restricted as land owned by project proponent but it shall be extended to every land legally acquired and obtained statutory permission to carry-on developing activity.

17. It is pertinent to point out that, there are two types of land covered by the this project, by entering agreements with the following company who are real owner of the land, 9th respondent has legal right to establish this project for developing land,

1. M/s Sushma Sales Pvt. Ltd
2. M/s Anpra Farms Development Pvt. Ltd.
3. M/s Bhari Cuisines Pvt. Ltd.
4. M/s Suprava Agro Estates Pvt. Ltd.



5. M/s Venkatesh Agro Estates Pvt. Ltd.

18. In addition to that, the 9th respondent also obtained statutory permission from Public Works Department to utilize the following government land for the project to construct drainage all along the survey field numbers and also construct 9 + 2 number of bridges across following government land vide Executive Engineer (WRO) PWD, Manjalaru Division, Periyalukalam letter No.Ka.No.46M/EVaA3/Ko.13/2011 dated 03.02.2011 (Annexure 9 filed by 9th respondent). The copy of the same with translation is annexed as **Annexure A6**.

Sl. No.	Survey Field No.
1.	296
2.	306/1
3.	310
4.	378
5.	398
6.	418
7.	419/A

19. It is submitted that, the above said land area underutilization for the project shall be treated as the covering area of the project wherein the 9th respondent constructed the bridges and proposed to construct sewage drainages. So the covering area of the projects comes more than 50 Hect. And thus obtaining the Environmental clearance under 8(b) of Schedule of EIA Notification is mandatory.

20. Further, It is also observed from the committee report and its annexures that, the total number of residential plots is 298 with shops, Educational Institution, Nursing Home Mini golf as per Layout plan

195 villas have to be constructed by 9th respondent and so the total built up area may will come as 26,300 Sq.meter for residential building.

21. It is also pertinent to point out that, the layout approval itself shows that, the project includes shops, Educational Institution, Nursing Home, commercial complex and Mini golf. And so the all the building are the part and parcel of the project.
22. It is pertinent to point out that, the 9th respondent has submitted an application dated 22.01.2016 in Form I wherein it is stated that, the 9th respondent construct commercial area with food court, office building, conventional centre, Resorts, Group housing, club house, Mini golf and the built-up are is 54497 Sq.m. It is also pointed out that, survey number of the said area is the same survey number of layout approved by the 8th respondent (DTCP).
23. It is also pointed out that, the layout approved during 2009 by the DTCP itself contains the details of Mini golf and commercial complex and some of buildings have been constructed. But, the 9th respondent has never applied for Environmental Clearance. It is also pointed out that, in the above said application date 22.01.2016, the 9th respondent has intentionally furnished fake details particularly he has not disclosed wild life sanctuary and also furnished wrong details regarding environmental sensitivity.
24. It is crystal and clear that, the 9th respondent continually violates the environmental law and circumvents the mandatory clearance by furnishing wrong information before the various authorities. Further the 9th respondent attempted to get any form of clearance by furnishing wrong information before 4th respondent to obtain clearances.

modus operandi of 9th respondent



25. It is submitted that, the *modus operandi* of 9th respondent in this project is as follows,

- a. Purchasing land from local people in various company name which were purposefully created for this project.
- b. Entering an agreement with companies for developing land
- c. Marketing the said land by advertisement as villas, and resorts
- d. Make a sale deed and registered the same between the real owner of the particular land and the purchaser
- e. On the same day of registration of sale deed one more agreement for construction of villas also entered between purchaser and 9th respondent. And then as per the agreement villa will be constructed and given to the newly purchaser.
- f. Each and every construction such as villas, roads, bridges, resorts, hospitals, commercial building, food court, communal hall, club house are being constructed by 9th respondent only.

The copy of registered sale deed and construction agreements are already submitted before the Hon'ble Green Tribunal as additional document in response to the objection filed by 9th respondent (page No.11 to 51).

26. It is submitted that, the 9th respondent entered an agreement with the real owner of the property. And so, on time of registration of every sale deed the 9th respondent also one of the parties in the sale deed and on the same of registration of sale deed the 9th respondent has also entered an agreement with the claimant of the property to construct the villas. Here it is furnished the some of the sale deed and its agreement,

Sl.No	Date of sale deed and agreement	Doc Registered deed	No. Sale	Doc. Registered Agreement	No. of
1.	28.04.2014	1334/2014		1335/2014	
2.	05.05.2014	1412/2014		1413/2014	

3.	04.06.2014	1781/2014	1782/2014
4.	09.06.2014	1861/2014	1862/2014
4.	22.08.2014	2883/2014	2884/2014
5.	11.09.2014	3116/2014	3117/2014
6.	29.09.2014	3331/2014	3332/2014
6.	29.09.2014	3335/2014	3336/2014
7.	30.09.2014	3359/2014	3360/2014
8.	10.10.2014	3417/2014	3418/2014
9.	27.10.2014	3576/2014	3577/2014
10.	28.10.2014	3593/2014	3594/2014
11.	10.11.2014	3742/2014	3743/2014
12.	08.12.2014	4120/2014	4121/2014
13.	11.12.2014	4160/2014	4161/2014

The list of sale deed and agreements reveals that, the 9th respondent is the one and only constructor of all the villas, and all other building in the project area. So that, on time of registration of each and every sale deed, on the same time, an agreement also registered with the claimant of the property for construction of villas in the property purchased.

27. It is humbly submitted that, since, the commercial building such as food court, office building, conventional centre, and Resorts, Group housing, club house, Mini golf are all the part of the project and the part of the layout plan approved by the 8th respondent DTCP, the project of 9th respondent comes under purview of the EIA Notification in view of the built up area and so obtaining Prior Environmental Clearance is mandatory.

28. It is also submitted that, for the huge area of construction, the 9th respondent has established concrete mixture unit and concrete solid

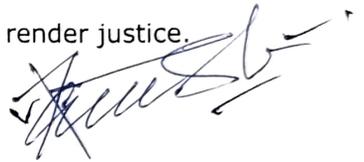
28. It is also submitted that, for the huge area of construction, the 9th respondent has established concrete mixture unit and concrete solid blocks-Manufacturing unit within the project area without obtaining any consent from any authorities. It is also observed from the committee report that, the unit had provided 2 number of D.G sets of 250 KVA and 1 number of 25 KVA D.G. Set are in operable condition.
29. It is humbly submitted that, the concrete mixture and concrete block manufacturing units with two number of 250 KVA (500 KVA) Diesel Power Generator in the project site without obtaining consent from 6th and 7th respondent. In this regards, the 9th respondent has not raised any objections particularly. And in his objection, the 9th respondent has not refused the establishment of above said manufacturing units without proper consent under the Air Act and Water Act and accepted the unlawful establishment of the manufacturing units adjacent to the Kodaikanal Wild Life Sanctuary.
30. It is submitted that, the committee constituted by the Hon'ble Green Tribunal is rightly concluded that, the covering area of the project is more than 50 Hec. i.e 51.82 Hect. by observing project related activity in Survey Field Number 441/1. the annexure 1 & 2 enclosed herewith substantiated that, the Survey Field Number 441/1 is project owned land and in name of M/s Venkatesh Agro Estates Pvt. Ltd. Moreover, the proceeding of District Forest Officer, dated . .2011 also conform the same.
31. It is also pointed out that, by adding additional area for which the 9th respondent obtained permission to construct bridges and sewage drainage in S.F. No. 296,306/1,310,378,398,418,419/A also come under covering area of project and so it obvious that the covering area of the 9th respondent's project is more than 50 Hect. and so obtaining of prior Environmental clearance is mandatory as per 8(b) of Schedule I of EIA Notification.



environment clearance in Form I submitted by the 9th respondent to the 4th respondent, it is observed that, all the buildings such as residential and commercial building are being constructed by the 9th respondent and the built up area of the entire construction comes more than 80797 Sq.meter (54497 Sq.m. as per Form I of 9th respondent + 26,300 Sq.meter for residential building). And so in view of built up area also the project comes under purview of 8(a) of the EIA Notification.

Therefore It is prayed that, the Hon'ble Green Tribunal may be pleased upheld and allow the joint committee report and thus render justice.

Solemnly affirmed the contents of the affidavit at Srivaikundam on this the day of November 2021 and signed his name in my presence.



 Raman
Before me Mg no: 2905/
2016

Advocate, Srivaikundam

தமிழ்நாடு வனத்துறை

அனுப்புனர்
திரு.டி.சம்பத்.இ.வ.ப
மாவட்ட வன அலுவலர்,
கொடைக்கானல் வனக்கோட்டம்,
கொடைக்கானல்

பெறுநர்
திரு.சரவணராமன்,
(Authority Signatory)
Bahiri Estates (P) Ltd,
No.D16A, Indira Enclave
Neb Sarai, New Delhi.110060

ந.க.எண். 1492/2011/வ.நாள். 07.07.2011

ஐயா,

பொருள்: வனம் - கொடைக்கானல் வனக்கோட்டம் -
கெங்குவார்பட்டி கிராமம் M/S பஉற்ரி எஸ்டேட் (பி)
லிமிடெட் - மனைப்பிரிவு செய்தல் - சம்பந்தமாக.

பார்வை: 1).மாவட்ட வனஅலுவலர், கொடைக்கானல் வனக்கோட்டம்,
கொடைக்கானல் அவர்களின் ந.க.எண். D1 /10772/07
நாள் 24.1.2008.

2). மாவட்ட வனஅலுவலர், கொடைக்கானல் அவர்களின்
ந.க.எண்.1492/ 2011/D1 /நாள் 28.3.11

3). தங்களது கடித நாள்.11.04.2011.

4). வனச்சரகர், பெரும்பள்ளம் வனச்சரகம், கடித
நாள்.10.06.2011.

பார்வை 1ல் கண்ட கடிதத்தில் தேனி மாவட்டம் பெரியகுளம் வட்டம்
G.கல்லுப்பட்டி கிராமத்தில் உள்ள புல எண்.179.B, 302/2, 379, 382, 383, 384, 385/2,
385/3 மற்றும் 386 சம்பந்தப்பட்ட 18.28 ஏக்கர், மற்றும் கஉமா சேல்ஸ் பிரைவேட்
லிமிடெட்டுக்கு சம்பந்தப்பட்ட 55.41 ஏக்கர், M/S. சுப்ரவா அக்ரோ எஸ்டேட்ஸ் பிரைவேட்
லிமிடெட்டுக்கு சம்பந்தப்பட்ட 38.46 ஏக்கர், M/S. வெங்கடேஜ் அக்ரோ எஸ்டேட்ஸ்
பிரைவேட் லிமிடெட்டுக்கு சம்பந்தப்பட்ட 10.04 ஏக்கர் மற்றும் M/S. அன்பரா பார்மஸ்
டெவலப்பர்ஸ் பிரைவேட் லிமிடெட்டுக்கு சம்பந்தப்பட்ட 7.61 ஏக்கர் நிலத்தில் ஆக
மொத்தம் 128 ஏக்கர் பரப்பில் விவசாயப் பண்ணை அமைக்க அருகில் உள்ள
தென்சரிவு காப்புக்காட்டிற்கு சுற்றுச்சூழல் வன உயிரினங்கள் இயற்கை வளத்திற்கு
எவ்வித பாதிப்பும் ஏற்படாமலும் ஆக்கிரமிப்பு ஏற்படாமலும் இருக்க வேண்டும் என்ற
நிபந்தனைகளுக்கு உட்பட்டும் வனச்சட்டம் மற்றும் வனப்பாதுகாப்பு விதிகளுக்கும்
உட்பட்டும் வனப்பகுதிக்கும் பட்டா நிலத்திற்கும் இடையே 20 மீட்டர் இடைவெளியில்
மரம், செடி, கொடிகள் மட்டும் உற்பத்தி செய்யப்படவேண்டும் என்ற நிபந்தனை
அடிப்படையில் தடையில்லாச்சான்று வழங்கப்பட்டது.

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பார்வை 2)ல் கண்ட கடிதத்தில் மனுதாரர் கீழ்க்கண்ட நிபந்தனைகளை மறியுள்ளார் என காரணம் காட்டும் நோட்டீஸ் அனுப்பி அதற்கான விளக்கம் கேட்கப்பட்டது.

1. நிலத்தின் வகையை மாற்றி (விவசாய நிலத்திலிருந்து மனைப்பிரிவு நிலமாக) கேடு விளைவித்தது.
2. சுற்றுச்சுவர் எழுப்பியது.
3. வீட்டுமனைப் பிரித்து, வீடு கட்டியது.
4. பாதை அமைத்தது.
5. இயற்கை வளம் மற்றும் சுற்றுச்சூழலுக்கு இடையூறு விளைவித்தது.
6. வன உயிரின நடமாட்டத்திற்கு தடை ஏற்படுத்தி வன உயிரின மனிதன் பிரச்சனைக்கு வழி வகுத்தது.

பார்வை 3)ல் கண்ட கடிதத்தில் மனுதாரர் விதிமீறல்கள் ஏதுமில்லை என்றும். மேற்படி நிலத்தை மனைப்பிரிவு செய்ய தக்க அனுமதி பெறப்பட்டுள்ளது என்றும். இம்மனைப்பிரிவுகளுக்கு இடையே செல்லும் பாதையினை எதிர்கால பராமரிப்பிற்காக சம்பந்தப்பட்ட ஊராட்சியிடம் ஒப்படைக்கப்பட்டுள்ளது என்றும், பட்டா நிலத்திற்கும் வன நிலத்திற்கும் இடையே பார்வை 1)ல் கண்ட கடிதத்தில் அறிவுறுத்தியவாறு இடைதாங்கும் மண்டலம் விடப்பட்டுள்ளது என்றும், இவ்விடைதாங்குமண்டலத்தில் செடி, கொடி, மற்றும் மரங்கள் ஊர்ச்சுபதற்கு தக்க முன்னோடி பணிகள் மேற்கொள்ளப்பட்டுள்ளது என்றும் தெரிவித்துள்ளார்.

பார்வை 4)ல் கண்ட கடிதத்தில் வனச்சரக அலுவலர், பெரும்பள்ளம் வனச்சரகம் இந்நேர்வு தொடர்பாக கீழே கண்டவாறு அறிக்கை பணிந்து சமர்ப்பித்துள்ளார்.

மேற்படி மனைப்பிரிவு நிலத்தினை 10.6.2011 அன்று நானும், கெங்குவார்பட்ட பிரிவு வனச்சீப்பந்திகளும் சென்று களத்தணிக்கை செய்ததில் ஏற்கெனவே மாவட்ட வன அலுவலரின் பார்வை 1ல் கண்டுள்ள உத்தரவில் இடப்பட்டுள்ள நிபந்தனைகளை பழனிமலை தென் கசிவு கரப்புக் காட்டிற்கும் நிபந்தனைகளான பழனிமலை தென் கசிவு கரப்புக்காட்டிற்கும், மனைப்பிரிவு அமைய உள்ள இடத்தின் நெடுகிலும் சுமார் 30 மீட்டர் இடைவெளி உள்ளது.

(X)

1. காப்புக்காட்டில் நில ஆக்கிரமிப்பு ஏதும் இல்லை.
2. வன உயிரின நடமாட்டத்திற்கு தடை ஏற்படுத்தவில்லை. வன உயிரினம் - மனித இனம் இடையே எவ்வித பிரச்சனையும் ஏற்படுத்தவில்லை.
3. கொடைக்கானல் வடி வத்தலகுண்டு சாலையை ஒட்டி வனப்பகுதியில் இருந்து சுமார் 300 அடி தூரம் தள்ளி வனப்பகுதிக்கு சம்பந்தமே இல்லாமல் தனியே, துண்டாக ஒரு முகப்பு அமைக்கப்பட்டுள்ளது. இப்பகுதிகளில் வன உயிரின நடமாட்டம் ஏதும் இல்லை. இதனால் சுற்றுச்சூழல் சூழ்நிலை சீர்கேடு ஏதும் இல்லை.
4. மனைநிலம் ஒரு தரிசு நிலம்தான் அதில் 'Clay Canker Soil' கெட்டித்தன்மை காண்கிறீர் போல் உள்ளதால் இதில் ஒரு விவசாய பயிரும் வராது.

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5. மண் பாதைதான் அமைக்கப்பட்டுள்ளது. இதனால் வனத்திற்கோ
கற்றுச்சூழலுக்கோ எவ்வித இடையூறும் இல்லை.

மனுதாரர் தனது பாத்தியத்தில் உள்ள நிலங்களில் அவர் மேற்கொள்ளும் பணிகளுக்கு எவ்வித தடையும் இல்லை என்ற உத்தரவினை பிறப்பிக்கலாம் என பரிந்துரை செய்துள்ளார்.

இப்பொருள் தொடர்பாக மனுதாரரின் பதிலறிக்கை மற்றும் வனச்சரக அலுவலர் பெரும்பள்ளம் வனச்சரகம், அவர்களின் அறிக்கை ஆகியவற்றை பரிசீலனை செய்யப்பட்டது. எனவே, மனுதாரர் மேற்படி பணிஸ்தலத்தில் பார்வை (1) மற்றும் (2)ல் சொல்லப்பட்ட நிபந்தனைகளை இனி வருங்காலத்திலும் தவறாது பின்பற்றவேண்டும். மேலும் "Buffer Zone" பகுதியில் ஒரு செயின் அகலத்தில் மரக்கன்றுகள் நடவுசெய்து பராமரிக்குமாறு தெரிவிக்கப்படுகிறது.

ஓம்/- டி.சம்பத்,
மாவட்ட வன அலுவலர்,
கொடைக்ககானல் கோட்டம்,
கொடைக்ககானல்.

/உ.ந.உ.ப/

வரைதொழில் அலுவலர்
12.7.11

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From,

Thiru T Sampath, IFS
District Forest officer
Kodaikanal Division
Kodaikanal

To,

M/S Bahri Estates Pvt Ltd,
No.16A, Indra Enclave,
Nebsarai, New Delhi-110060

Ref No 1492/2011 d.1 dt 12.07.2011

Sir,

Sub: Forest Kodaikanal forest division- Ganguvarpatty Village- M/S Bahri Estates Pvt Ltd- Layout formation – Regarding

- Ref: 1 . District Forest officer, Kodaikanal division, Kodaikanal Letter no D1/10772/07 dt 24.01.2008
2. District Forest Officer Kodaikanal Letter no 1492/2011/D1 dt 28.03.2011
3. Your Letter Dt. 11.04.2011
4. Forest Ranger Perumpallam Letter dt 10.06.2011

In the references (1) cited, No Objection certificate was issued to M/s Bahri Estates Pvt Ltd in Survey no 179 B,302/2,379,382 383, 384, 385/2, 385/3 and 386 in Ganguvarpatty village, Periyakulam Taluk Theni district measuring 18.28 acres and to M/s Sushma sales (p) Ltd land measuring 55.41 acres M/s Suprava agro Estates (P) ltd Land Measuring 38.46 acres, M/s Venkitesh agro Estates Pvt Ltd land measuring 10.04, M/s Anpara Farms Developers Pvt Ltd, Land measuring 7.61 and total for 128 acres for formation of agricultural farm with condition that no damage to the adjoining southern slope reserved forest in terms of environmental, wild life and natural forest, no encroachment to follow the rules and regulations of Forest Act and in buffer zone area between reserve forest and patta over a width of 20 meters continuous green cover of tress and herbs and shrubs should be planted.

128 Acr. = 51.82 Hect.

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In the reference (2) cited showcase advice letter issued to the petitioner for violation of the following explanation sought.

1. Change in the land classification from Agriculture farm to layouts.
2. Construction of compound wall
3. Construction of home.
4. Formation of roads
5. Damaging the fragile Eco system of the natural forest and environmental
6. Damaging wild animal corridor and resulting man animal conflict.

In the reference (3) cited the petitioner company in their letter stated that there is no breach rules and acts of forests by them, they have to get proper approval of layout plan in their Patta land and the roads in between the layout where handed over to the concerned village Panchayat for maintenance and the company has proved buffer zone area in between reserved and Patta lands of company and the Preliminary work relating to the planting work for continuous green cover trees, herbs and shrubs.

In the reference (4) the cited forest ranger Perumpallam range submitted this report as detailed below.

The companies layout lands was inspected by me on 10/06/2011 along with Ganguvarpatti forest assistants. The condition of 30mts of gap between southern slope reserved forest (Palani hills) and layout plan area was laid as per reference (1) cited and same gap being maintained

1. No land encroachment of forest area
2. No barrier for wild animal corridor was done and there is no man – animal conflict
3. The entrance made in Kodaikanal to Batlagundu road beyond 300ft from forest area there is no wild animal passing through this area and there is no damage to Eco System of the natural forest, environment and wild life.
4. The layout area is a dry waste land. It is like " clay canker soil" having strength of concrete and no agricultural operation is possible.
5. Roads formed are by gravel stones and it was not hindrance to forest and environmental Eco system.

It was recommended by the forest ranger to issue orders to the effect that No Objection to the Petitioner to undertake any work in the lands

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The Petitioner reply in this regard and reports of the forest Ranger Perumpallam were considered. The petitioner company is directed adhere the instructions issued in the reference(1) and (2) cited in future. Further it is informed that in "Buffer Zone "tree planting to be done and maintained for one chain width.

Signed
D.Sampath
District Forest Officer
Kodaikanal Division
TRUE COPY

Signed
S. Murugan
Drafting Officer

அ-பதிவேடு விவரங்கள்

~~19~~
19

மாவட்டம் : தேனி
வட்டம் : பெரியகுளம்
கிராமம் : கெங்குவார்பட்டி

1. புல எண்	441	9. மண் வயனமும் ரகமும்	8 - 2
2. உட்பிரிவு எண்	1	10. மண் தரம்	5
3. பழைய புல உட்பிரிவு எண்	441-P	11. தீர்வை (ரூ - ஹெ)	2.15
4. பகுதி	-	12. பரப்பு (ஹெக்டேர் - ஏர்)	0 - 39.50
5. அரசு / ரயத்துவாரி	ரயத்துவாரி	13. மொத்த தீர்வை (ரூ - பை)	0.89
6. நிலத்தின் வகை	பஞ்சை	14. பட்டா எண்	4339
7. பாசன ஆதாரம்	-	15. குறிப்பு	-
8. இரு போகமா	-	16. பெயர்	1.மெசர்ஸ் வெங்கடேஸ் அக்ரோ எஸ்டேட் (பி) லிமிடெட்

குறிப்பு 1:



1.

மேற்கண்ட தகவல் / சான்றிதழ் நகல் விவரங்கள் மின் பதிவேட்டிலிருந்து பெறப்பட்டவை.
இவற்றை தாங்கள் <http://eservices.tn.gov.in> என்ற இணைய தளத்தில் 140049 என்ற
குறிப்பு எண்ணை உள்ளீடு செய்து உறுதி செய்துகொள்ளவும்.

20

TALUK OFFICE INTERNET SERVICE - TO VIEW A-REGISTER DETAILS

A-REGISTER DETAILS

District: Thiru

Taluk: Periyakulam

Village: Genguvarpatti

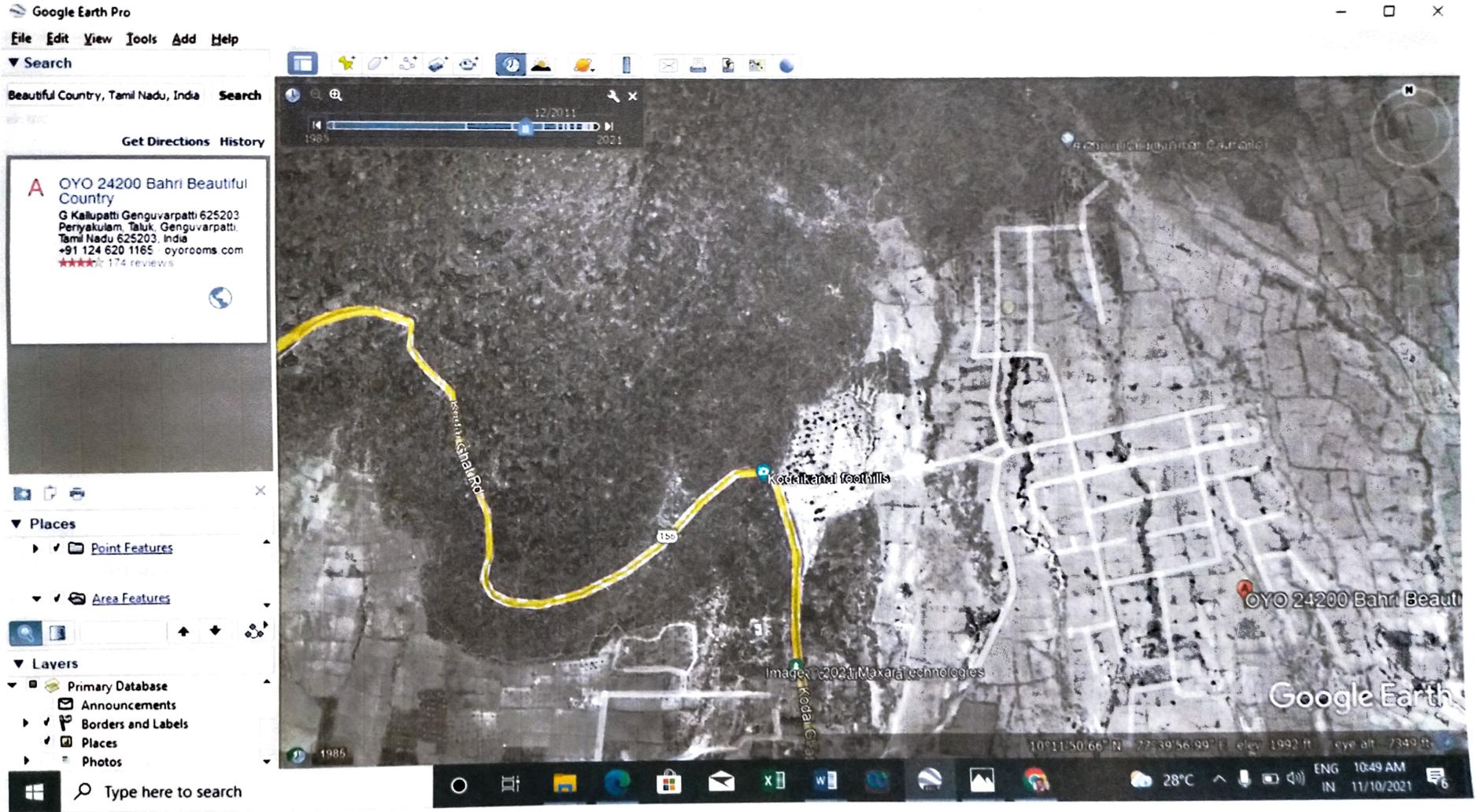
1. Survey Number : 441	9. Soil details : 8-2
2. Sub-Division : 1	10. Soil quality : 5
3. Old survey Number : 441 -P	11. Theervai : 2.15
4. Section :	12. Area (Hect. Ares) : 0.39.50
5. Govt./Rayathuvari Rauathuvari	13. Total Theervai : 0.89
6. Land Classification: Punjai	14. Patta Number : 4339
7. Irrigation Resource: --	15. Remarks : ---
8. Two : ----	16. Name M/s Venkatesh Agro Estate (P) Ltd.

REMARKS

Above information / Certificate obtained from digital documents
It can be verified through <http://eservices.tn.gov.in> website by
Using password number 140049

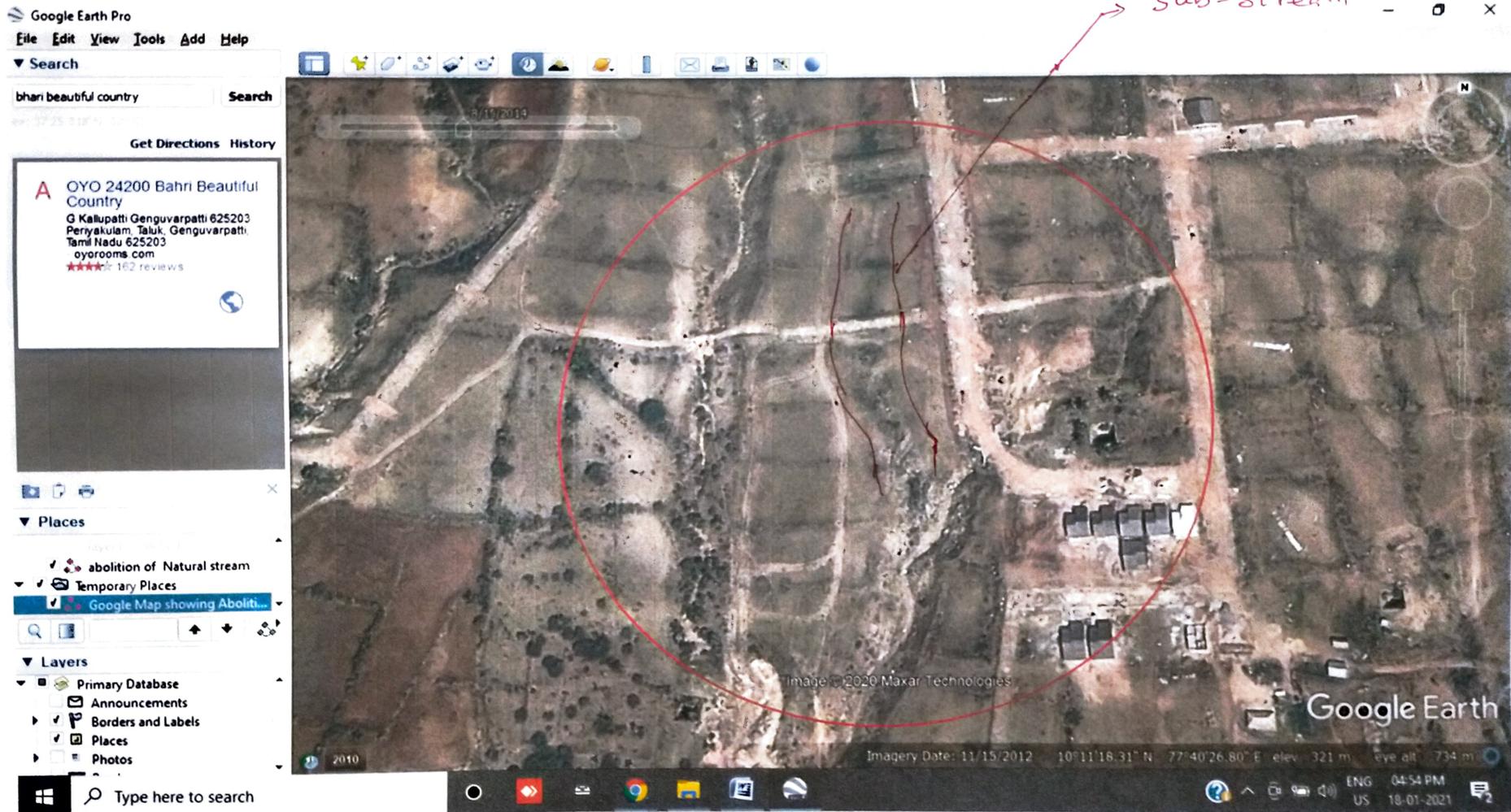
https://eservice.in.gov.in./eservicesnew/land/aregExtract_en.html?lan=en

GOOGLE EARTH IMAGE SHOWING THE STATUS OF 9TH RESPONDENT PROJECT DURING 2010-2011

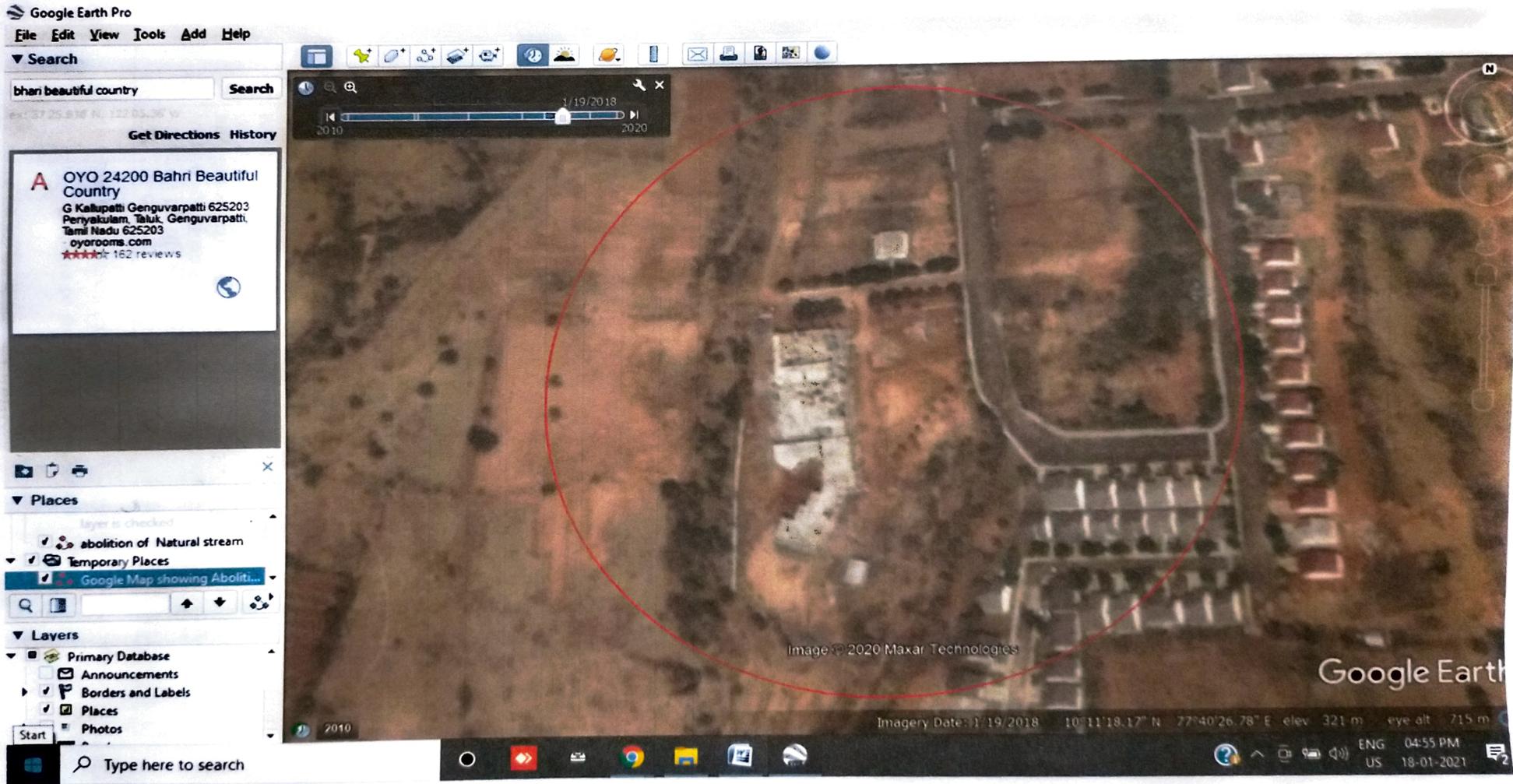


GOOGLE EARTH IMAGE DATED 15.08.2014 SHOWING ABOLITION OF SUB-STREAM IN SURVEY FIELD NO.402

22



GOOGLE EARTH IMAGE DATED 19.01.2018 SHOWING ABOLITION OF SUB-STREAM IN SURVEY FIELD NO.402



GOOGLE EARTH IMAGE DATED 31.01.2020 SHOWING ABOLITION OF SUB-STREAM IN SURVEY FIELD NO.402

24

Google Earth Pro
File Edit View Tools Add Help

▼ Search
bhari beautiful country Search
elevation: 37.25 A18

Get Directions History

A OYO 24200 Bahri Beautiful Country
G Kallupatti Genguvarpatti 625203
Periyakulam Taluk, Genguvarpatti,
Tamil Nadu 625203
oyorooms.com
★★★★★ 162 reviews

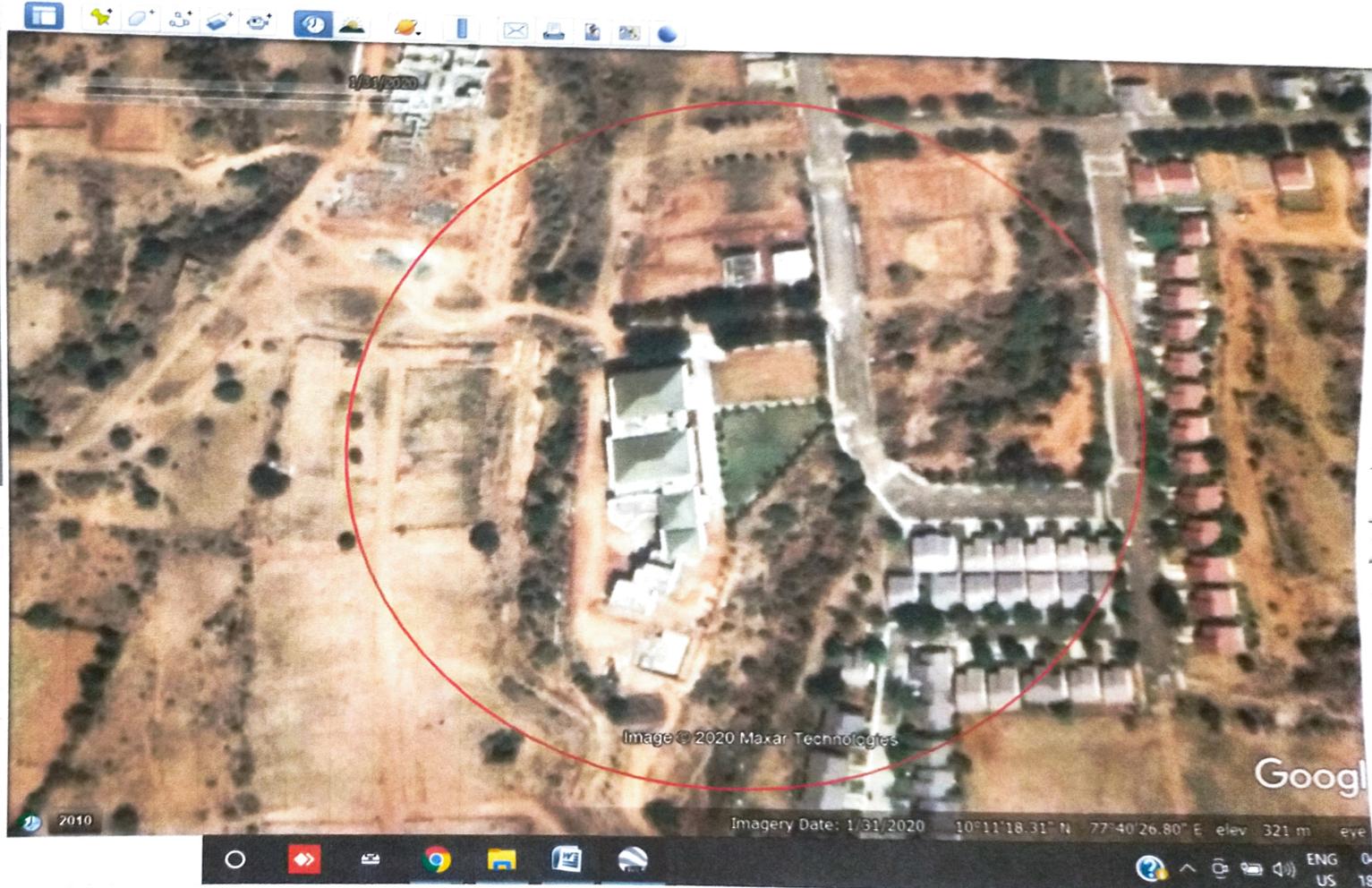
▼ Places

- abolition of Natural stream
- Temporary Places
- Google Map showing Aboliti...

▼ Layers

- Primary Database
- Announcements
- Borders and Labels
- Places
- Photos

Type here to search



District : Theni

Survey No : 400

Taluk : Periyakulam

Area : Hect 00 Ares 88.00

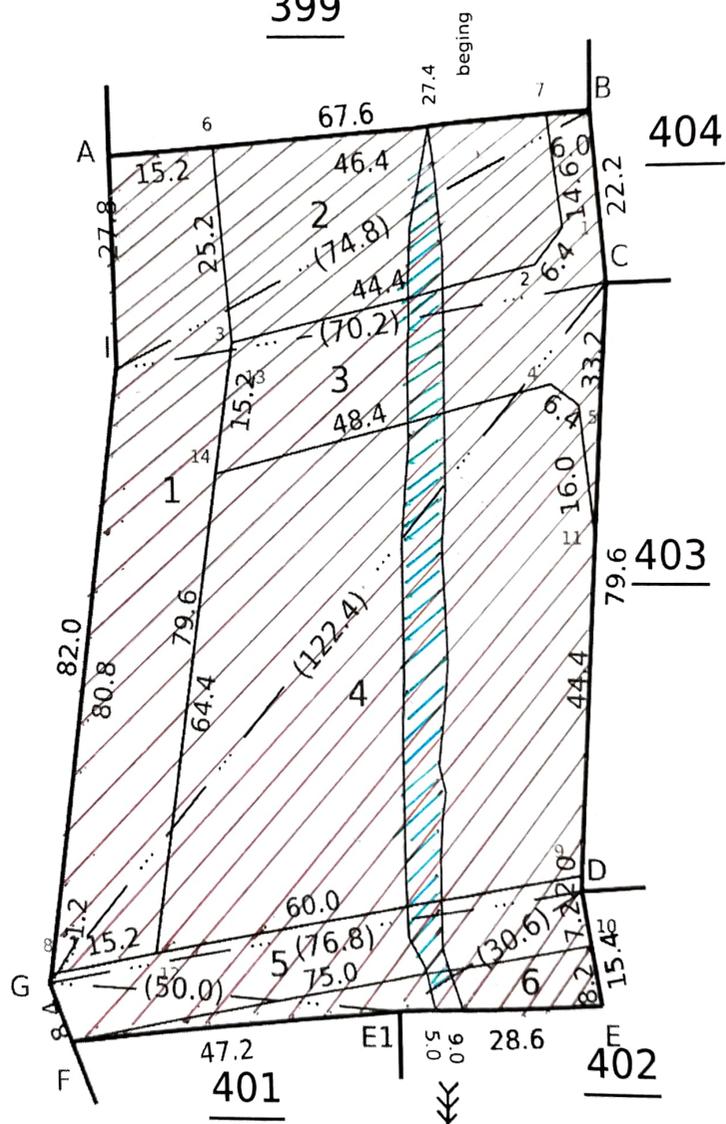
Village : Genguvarpatti Bit - 1 [10]

Scale : 1 : 844

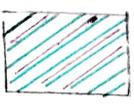
4
25

399

376



Area of the project comprised in S.F.No. 400



Sub-Stream flowing in the project land

Date of Issue: 11-09-2020 13:45:04

mv.240



District : Theni

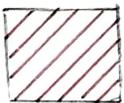
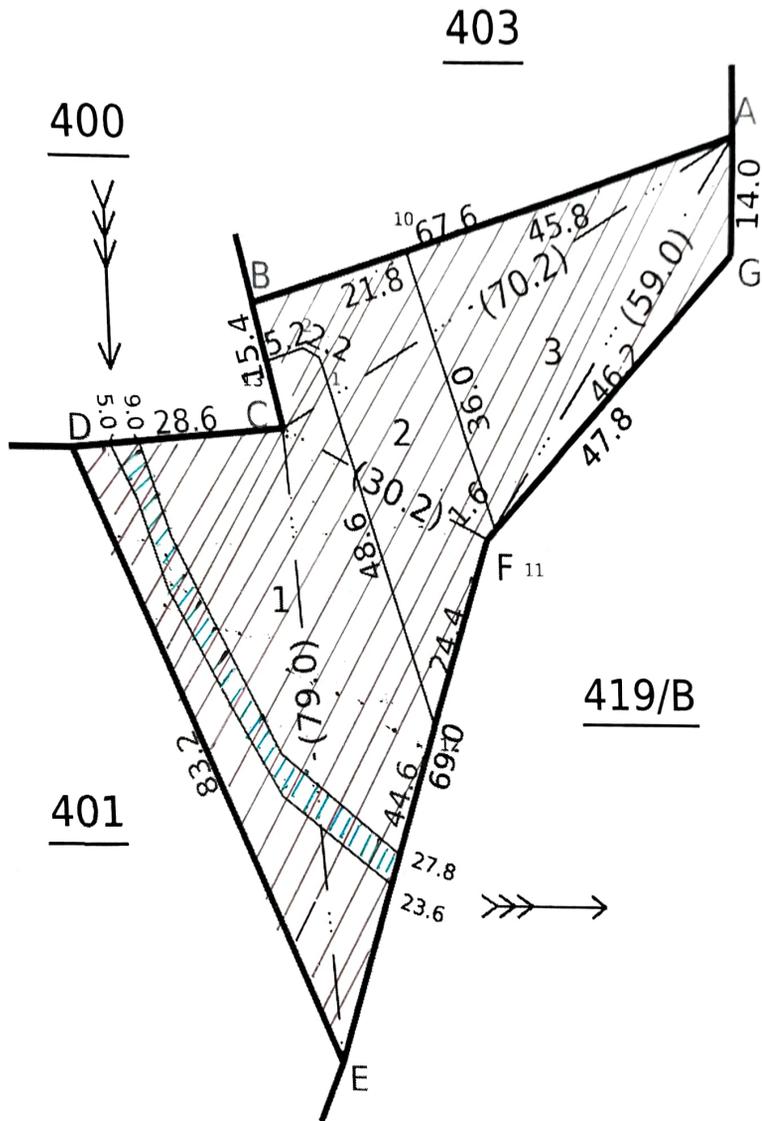
Survey No : 402

Taluk : Periyakulam

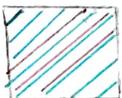
Area : Hect 00 Ares 41.50

Village : Genguvarpatti Bit - 1 [10]

Scale : 1 : 786



Area of the project comprised in S.F.No. 402



Sub-Stream flowing in the project land



27

District : Theni

Survey No : 210

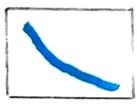
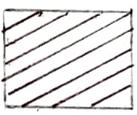
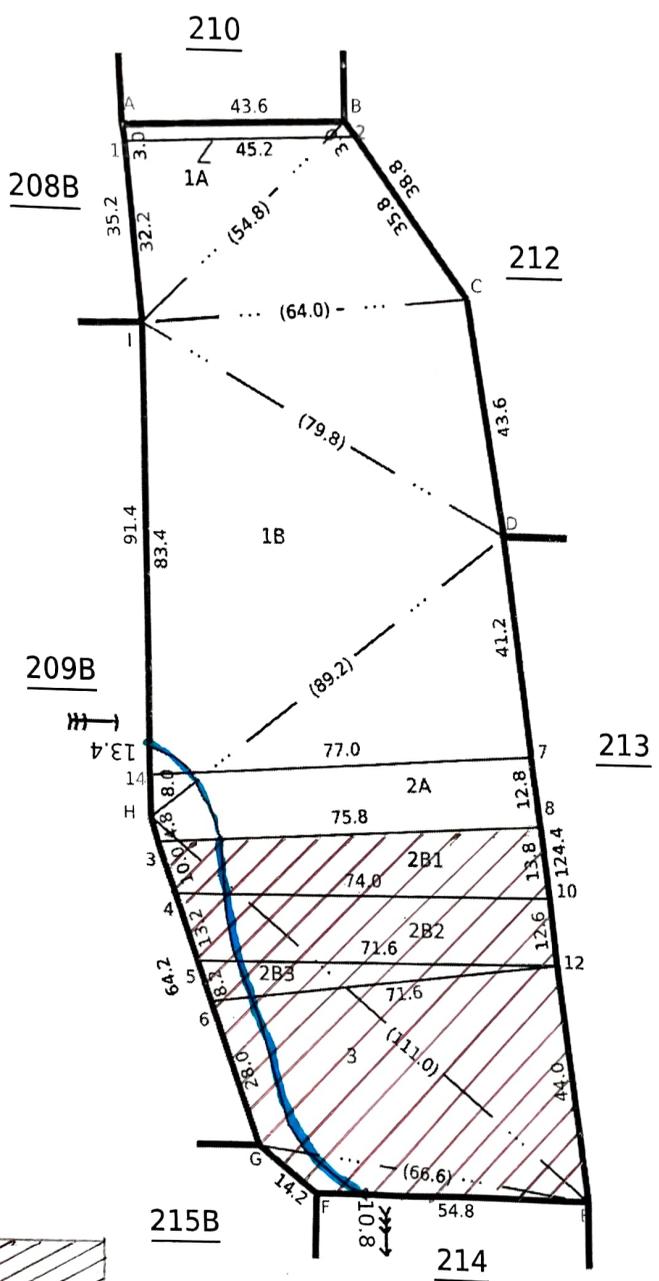
Taluk : Periyakulam

Area : Hect 01 Ares 32.00

Village : Genguvarpatti Bit - 1 [10]

Scale : 1 : 1186

76
25



Area of the project comprised in S.F.No.
S.F. No. 210/2B1, 2B2, 3

Sub-Stream flowing in the project land

Date of Issue: 11-09-2020 13:30:07

mv.240 f



28

District : Theni

Survey No : 214



Taluk : Periyakulam

Area : Hect 00 Ares 29.50



Village : Genguvarpatti Bit - 1 [10]

Scale : 1 : 657

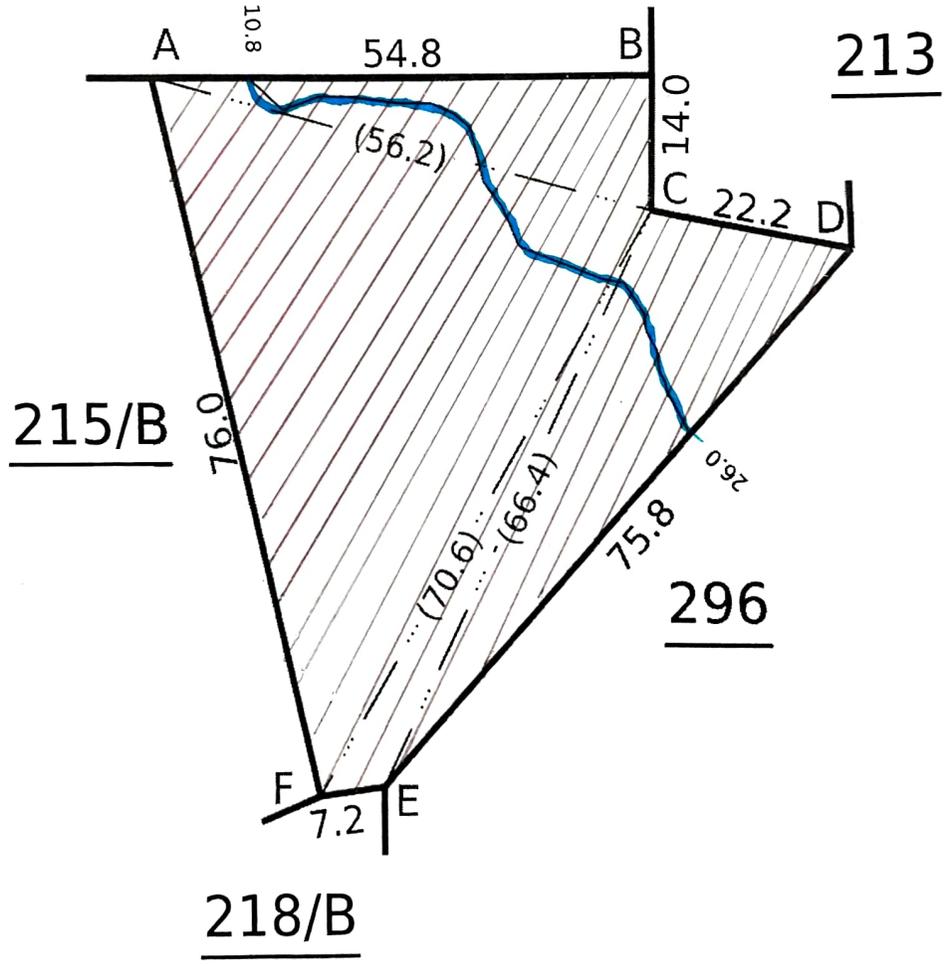


Area of the project comprised in S.F.No.
S.F.No. 214



Sub-Stream flowing in the project land

210



Date of Issue: 11-09-2020 13:32:15

mv.240 fi



30

383

District : Theni

Survey No : 383

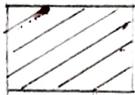
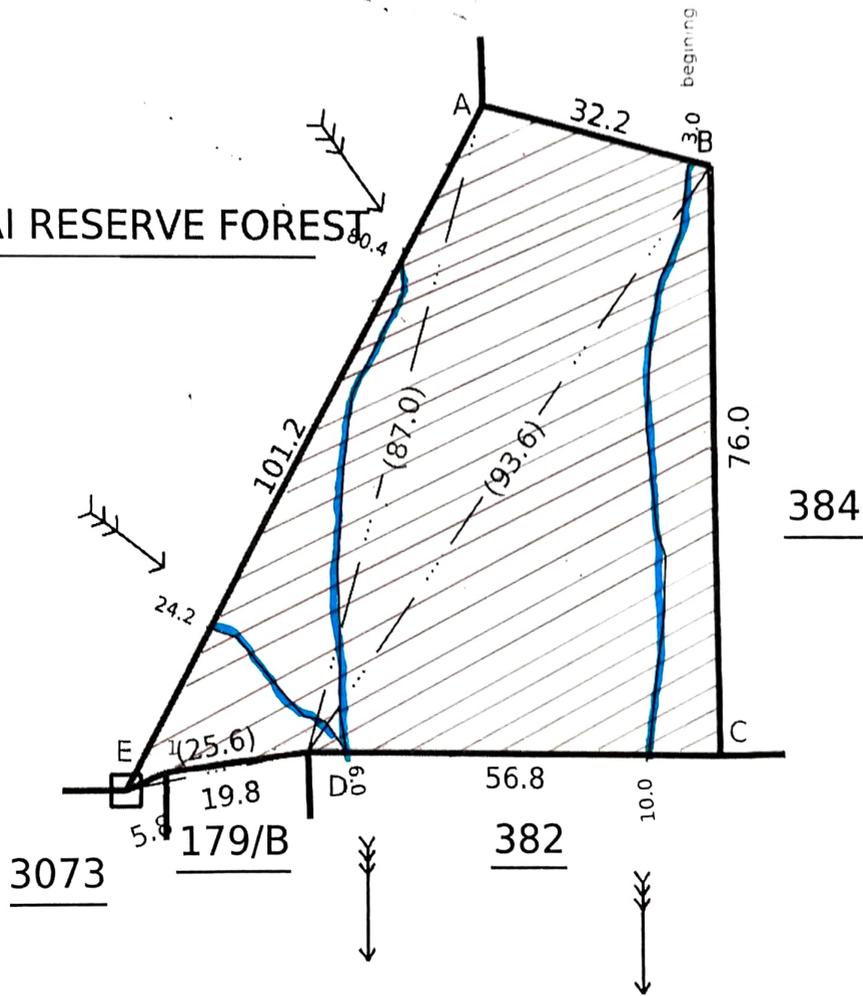
Taluk : Periyakulam

Area : Hect 00 Ares 43.50

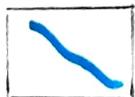
Village : Genguvarpatti Bit - 1 [10]

Scale : 1 : 828

ERUTARKANAI RESERVE FOREST



Area of the project comprised in S.F.No.
S.F.No. 383



Sub-Stream flowing in the project land

Date of Issue: 11-09-2020 13:34:57

mv.240



311

District : Theni

Survey No : 385

101

Taluk : Periyakulam

Area : Hect 02 Ares 20.00

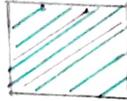
20

Village : Genguvarpatti Bit - 1 [10]

Scale : 1 : 2443

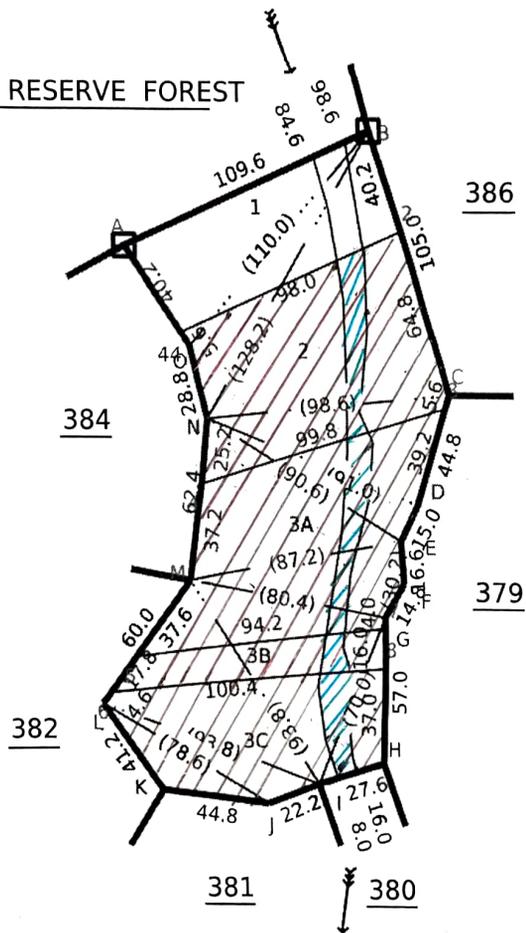


Area of the project comprised in S.F.No. S.F.No. 385/2, 385/3 (3A, 3B, 3C)



Sub-Stream flowing in the project land

ERUTARKANAI RESERVE FOREST



Date of Issue: 11-09-2020 13:42:18

mv.240



Survey and Settlement Department, Government of TamilNadu

From

Er. A.James Iourduswamy ME, EMIE
Executive Engineer
Manjalaru Division
Periyyakulam

To

M/s Bahri Estates Pvt Ltd
Thirunagar
Vathalagundu

43 A
(66)
(33)

Letter No.46M EVA3/Ko.13/2011/ dated 03.02.2011

Sir

Sub: Theni District – Periyakulam Taluk – Genfuvarpatti village-M/s Bahri Estates (p) Ltd. Thirunagar, Vathalagundu owned land Propertie S.F.No.213,312/2B,308,306/2,309,311/2A,377,407 - Crossing stream comprised in S.F.No.n296,306/1,310, 398, 378, 418, 419,419B wherein bridges, Retaining wall and sewage water drainage – Permission Granting – Reg.

Ref: 1. Your Application dated 11.01.2011
2. Commissioner, Town andn Country Planning Chennai approval No. 13/2009.

With reference to the reference 2nd cited above, Discussion with the District Collector, Theni and your application 1st cited above, it is permitted, to construct and maintain 9 bridges and 10,11 two bridges, Retaining Wall and Sewage Water Drainage in the Stream comprised in S.F.No. 296,360/1,310,398,378,418,419,419B of Genguvarpatti village, Periyakulam Taluk, Theni District, which is crossing your owned land S.F.No.213,312/2B,308,306/2,309,311/2A,377,407 of the same village, subject to the conditions based on the details submitted by the Assistant Engineer,

Conditions:

1. Bridges should be constructed across the stream as shown in approved layout
2. Construction works hs to be done in the presence and advice of the Department Engineer
3. The entire expenses for the construction borne by the you an after construction of bridges it should not hindrance to the public transport

- (67) 133
(34)
4. Bridges has to be constructed as per the regulations of this department and as per the Highways department norms and designs.
 5. Any damages during raining and natural calamities, this department will not take any responsibility to repair. All repair and renovation work has to do with prior approval from the department.
 6. On time of construction, no interference to be made for any department work in the streams
 7. On construction of bridges, it should be ensured that, the free flow of water without any barriers, width of the stream and quantity of flow of water as per the Sketches
 8. After construction of all works bridges to be handed over to the section officer before utility
 9. If any breach of conditions noticed, this permission will be cancelled and further legal proceedings to be initiated

Signed

Executive Engineer PWD

Manjalaru Division, Periyakulam

Encl: Drawing 1

Drawings 4 numbers